

REMARKS/ARGUMENTS

The Examiner has rejected claims 1-11 and 19 under 35 U.S.C. 112, second paragraph, on the grounds that “such as” in claims 1 and 19 is indefinite. Applicant has deleted “such as an airport” from claims 1 and 19, since aircraft landing installation appears to be definite and includes airports in its scope. This rejection is accordingly believed to be traversed.

The Examiner has rejected claims 1-6 and 9-19 under 35 U.S.C. 103(a) as being unpatentable over Task in view of Pieroway et al. Applicant respectfully traverses this rejection as follows.

The Examiner is incorrect in describing the “marker lights” of Task or the “light units” of Pieroway as *fixtures for installation*, since both are expressly designed for “rapidly deployable, portable, austere” runways and landing zones. Comparison of the *Description of the Prior Art* sections of Task and Pieroway shows them to be essentially identical, apparently using an Air Force definition of “unimproved austere landing site” that seems to be a term of art describing something other than a permanent installation with a permanent array of visible, non-covert, regular runway lighting. In essence, Task and Pieroway disclose small portable boxes and panels that are temporarily laid out on an “unimproved austere landing site” (not a regular airport), used temporarily, and then gathered up again. Task and Pieroway accordingly contain no suggestion that their markers/units be used as permanent runway lighting fixtures at a permanent installation such as an airport.

The Examiner’s statement that “Pieroway discloses a similar runway lighting fixture system *whereby the lighting fixtures 14 are ‘permanently’ connected to an AC power source*

(Figs. 1b and 1c)” appears to be incorrect. Pieroway at column 6, lines 18-37 states only that “an external source of AC power may be used”, connected either to the remote controller or directly to each of the light panels. Given the requirement of an “unimproved austere landing site”, this suggests only a portable AC power source such as a portable generator, or the alternator on a military vehicle. Pieroway further notes that “should one desire to use an a.c. power source to continuously power the light units and by-pass the remote operation feature”, a relay on the remote controller is flipped; “continuously” simply refers to bypassing the normal on/off functionality of the remote controllers 15 via a remote transmitter 18 (see col. 3, lines 27-38) and is not a suggestion for a permanently installed lighting fixture at a permanent installation.

The Examiner’s position appears to rest on a mistaken interpretation of Pieroway’s reference to “posts 108 and 110” as some type of permanent mounting installation (see the Examiner’s comments regarding claim 6, that “Pieroway discloses attaching fixture 15 to some type of base including power attachments via posts 108/110”). Posts 108 and 110 are AC power ports or electrical terminals on the portable remote controller 15, not permanent installation features. See Fig. 5.

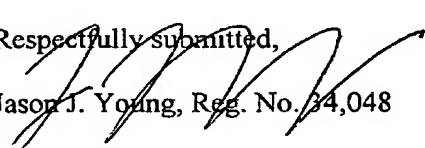
To clarify the above-noted differences between applicant’s invention and the temporarily- and rapidly-deployed “unimproved austere landing site” lights of Task and Pieroway, applicant has amended claim 1 to more clearly distinguish the *fixture* nature of applicant’s claimed lighting in a permanent landing installation that is normally visibly lit by a permanent array of fixtures.

Independent claims 12 and 19 are not believed to require any further clarification relative to Task and Pieroway, but is open to suggestion from the Examiner if he deems it

necessary or appropriate. Applicant is not sure that it understands the Examiner's argument "regarding claims 13,14 and 16-18, the fixtures all appear similar, and placing filter 22 into fixture in Task would have been equivalent to replacing a non-covert light", but if the Examiner means that Task's boxes all appear similar, and swapping out filter plates in one of Task's boxes is equivalent to converting a permanent, visibly-lit runway lighting *fixture* at a permanent installation to a covert, non-visibly-lit *fixture* without changing its apparent non-covert nature, applicant respectfully disagrees. Task contains no suggestion for swapping filters as suggested by the Examiner (see col. 3, lines 16-34, where covert marking is done by re-orienting the box and flipping a switch on the box to turn on a different bulb), much less converting permanently installed visible-lighting fixtures at a permanent installation as claimed.

For the foregoing reasons, applicant believes that this application is now in condition for allowance, and such is respectfully requested. Should the Examiner have any questions concerning this response, he is invited to contact applicant's undersigned attorney at 231-932-9752.

Respectfully submitted,


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